

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

SUZANNE SULLIVAN,
Regional Director of Region 22
of the National Labor Relations Board
For and on behalf of the
National Labor Relations Board,

Petitioner,

V.

IBN CONSTRUCTION CORP.,

Respondent

Civil No. 22-

**DECLARATION OF REGIONAL DIRECTOR SULLIVAN IN SUPPORT
OF ORDER TO SHOW CAUSE**

SUZANNE SULLIVAN, declaring under penalty of perjury that the following is true and correct, declares as follows:

1. I am the Regional Director for Region 22 of the National Labor Relations Board (Board).

2. I have read the foregoing Petition and Exhibits appended hereto and know the contents thereof. The statements herein made upon personal knowledge are true and those made upon information belief I believe to be true.

3. Pursuant to Local Civil Rule 65.1 of the United States District Court for the District of New Jersey, and 28 U.S.C. § 1657, this proceeding is brought by application for Order to Show Cause, rather than Notice of Motion, for the following reasons:

a. I have reasonable cause to believe that the activities of Respondent IBN Construction Corp., as described in the Petition and Exhibits appended thereto, occurring in connection with the business operations of other employers or persons engaged in commerce or in an industry affecting commerce, have a close, intimate and substantial relation to trade, traffic and commerce among the several states and tend to and do lead to labor disputes, burdening and obstructing the full flow of commerce, and it may fairly be anticipated that, unless enjoined, Respondent will continue the acts and conduct alleged in the Petition, or similar or like acts, with the result that the affected employees will be denied their statutory rights to the detriment of the policies of the National Labor Relations Act (the Act),

the public interest, the interest of individuals, and the interests of the parties involved.

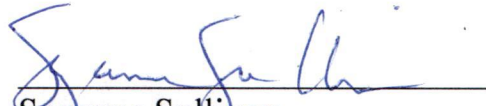
b. Section 10(j) of the Act reflects the Congressional recognition that legal procedures are sometimes necessarily prolonged and time consuming. In that Section, therefore, Congress gave the Board power upon issuance of a Complaint, to petition any District Court of the United States for appropriate injunctive relief deemed "just and proper." The legislative history of the Act shows that Congress intended such power to be exercised by the court in aid of the "prompt elimination of the obstructions to the free flow of commerce" pending the disposition of matters before the Board. S. REP. No. 105, 80TH CONG., 1ST SESS. PP. 8, 27 (1947).

c. No previous application has been made for the order or relief sought herein.


4. Accordingly, I respectfully submit that the Congressional mandate referred to above indicates that the most expeditious procedures available should be utilized in proceedings of this nature and, that, therefore, good and sufficient reason exists within the meaning of Local Civil Rule 65.1 to bring this matter on by Order to Show Cause, rather than by Notice of Motion. Further, this action for an injunction under the Act seeks to restrain conduct which is currently obstructing interstate commerce and will continue to do so unless enjoined. Therefore, good

cause exists within the meaning of 28 U.S.C. §1657 to expedite consideration of this case by allowing Petitioner to be heard upon an Order to Show Cause rather than upon a Notice of Motion.

Dated at Newark, New Jersey this 22nd day of September, 2022.


Suzanne Sullivan
Regional Director
National Labor Relations Board
Region 22
20 Washington Place – 5th Floor
Newark, NJ 07102
(862) 229-7070

Subscribed and Sworn to before me
this 22nd day of September, 2022.


Isaida Sanabia
Notary Public of New Jersey

My Commission Expires August 10, 2027

